

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

April 16, 2001

SUBJECT:

Detailed Application CPD2000-0004K for
Comprehensive Planned Development
CPD1999-0004, Fallsgrove

Applicant: Fallsgrove Associates, LLC
 c/o: The Cox Companies, LLC
 8381 Old Courthouse Road, Suite 160
 Vienna, VA 22182

Owner: Fallsgrove Associates

Date Filed: January 24, 2001

Location: The perimeter of Fallsgrove along the
 Darnestown Road and Shady Grove
 Road frontages.



REQUEST:

The applicant seeks detailed (final) approval for a landscaping plan for the perimeter of the Fallsgrove site on the Darnestown Road and Shady Grove Road frontages. The plan includes bike paths, decorative walls and entry monuments.

PREVIOUS RELATED ACTIONS:

- CPD99-0004, Concept Plan Application for Comprehensive Planned Development approved by the Mayor and Council, February 22, 2000.
- CDP2000-0004A through M, Detailed Applications for Comprehensive Planned Development CPD99-0004. All approved by the Planning Commission.

ANALYSIS:

Background

On February 22, 2000, the Mayor and Council approved CPD99-0004, authorizing development on the former Thomas Farm site, now known as Fallsgrove. The approval authorized a total of 1,530 dwelling units, 150,000 square feet of commercial retail and 950,000 square feet of office/research and development space. A Comprehensive Planned Development is implemented through the approval of individual detailed applications for all or part of a development as required in Section 25-656 of the Zoning Ordinance. This application is part of a series of detailed applications.

Property Description

Fallsgrove consists of approximately 254 acres bounded by Shady Grove Road, Darnestown Road, West Montgomery Avenue and Research Boulevard. This application encompasses the perimeter of the site adjacent to Darnestown Road and Shady Grove Road.

Proposal

The applicant requests detailed application approval for perimeter landscaping, an eight-foot wide bike path, a portion of the 10-foot wide Millennium Trail bike path, decorative walls and entry monuments along the Darnestown Road and Shady Grove Road frontage of Fallsgrove. The bike path will be within an easement on the Fallsgrove Homeowner's Association (HOA) property and will be maintained by the City as requested by the Department of Recreation and Parks. There are various locations indicated on Exhibit A where the path will be located within County right-of-way (ROW). This will occur typically at intersections so that the path will be closer to the road, as per bike path standards. Along Shady Grove Road, however, the path will go approximately two feet into the County ROW. This will typically occur in between existing utility poles. This will give the path an undulating look, as well as providing increased landscaping area adjacent to the JPI multi-family parcel and the Village Retail Center. The City will maintain the path in County ROW, and a maintenance agreement will be executed. The plan will include the entire length of these two roads. The landscaping plan exceeds the normal standards for landscaping in county and city rights of way. The only exceptions to this are where underground utilities prohibit it, street trees are not provided.

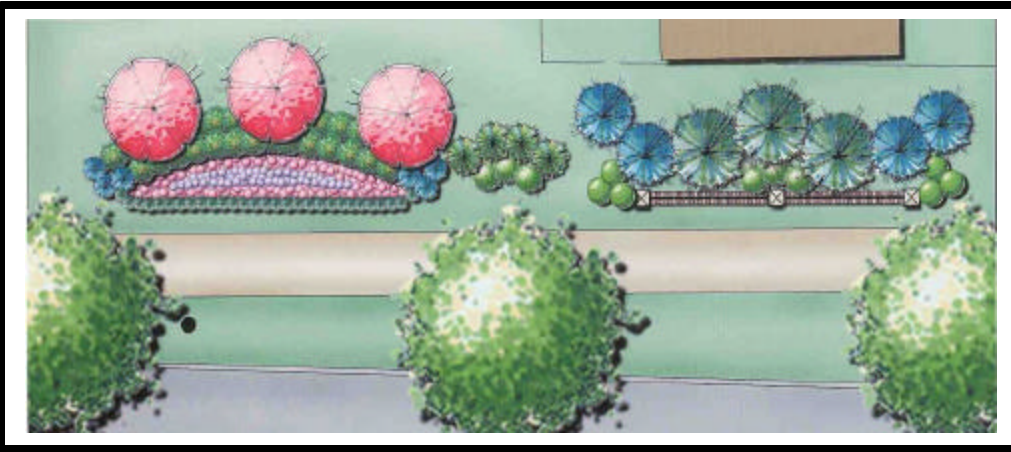
Darnestown Road

The Darnestown Road frontage will consist of significant landscaping, decorative walls, street trees and entry monuments located at various intersections. The landscaping area will be within a landscape easement under the control and maintenance of the Fallsgrove Homeowner's Association.



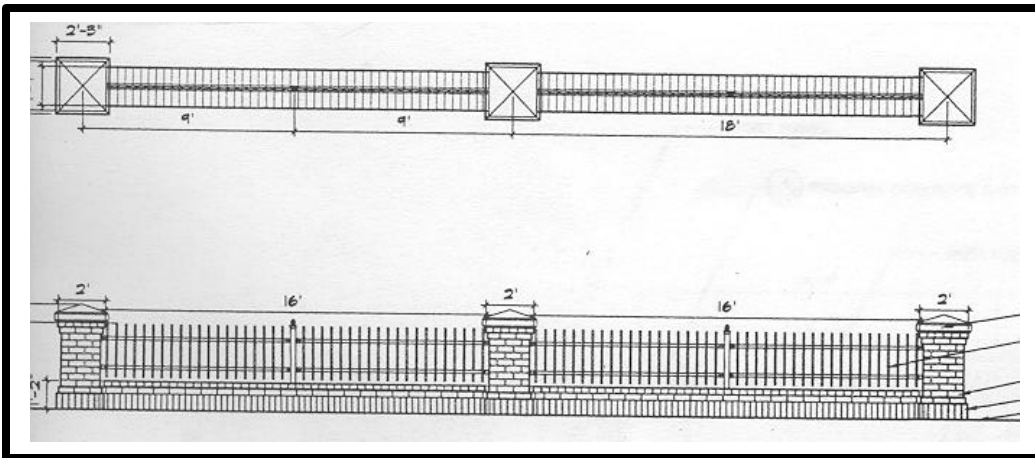
A portion of this landscape easement will be on private homeowner's property if they are adjacent to Darnestown Road, with maintenance being the responsibility of Falls Grove. The landscaping within this area will have a natural, undulating look. This will be accomplished by slight berming of the landscape area.

The Applicant has stated that full disclosure of the landscape easement, as well as any restrictions upon it, will be provided to prospective homeowners in advance of a sales contract. In addition, closing and homeowners documents will relay any information about the presence and maintenance



of the easement. A portion of the Darnestown Road frontage, from Oak Knoll Drive to Shady Grove Road, has already been platted showing the landscape easement. A requirement of this plan is that no landscaping shall be within six feet of

any homes to prevent home maintenance conflicts. Staff has worked with the Applicant to determine the appropriateness of the landscaping materials adjacent and near homes on Darnestown Road. As per the approval of CPD2000-0004B, all of the homes in this area have side yards facing Darnestown Road, with access provided from loop-lanes accessing the interior of the Falls Grove site.



The bike path will not be on homeowner's property. Exceptions are the few homes mentioned above that have a small portion (panhandle) of the lots extending all the way to the ROW of Darnestown Road that provides road frontage as required by the Zoning

Ordinance. The bike path will be maintained by the City, except that portion crossing the aforementioned lots. In this case, a maintenance easement and an ingress/egress easement will be granted to the City of Rockville. Street tree plantings along this frontage will be installed within the County ROW per the guidelines of the County's street tree master plan.

The plans that accompany this application show the landscaping and bike path starting at the intersection of West Montgomery Avenue and Darnestown Road, adjacent to an approved stormwater pond. This report's discussion will start here and travel clockwise around the site. In the landscaping area adjacent to this pond, there will be a decorative guardrail and low plantings that are consistent

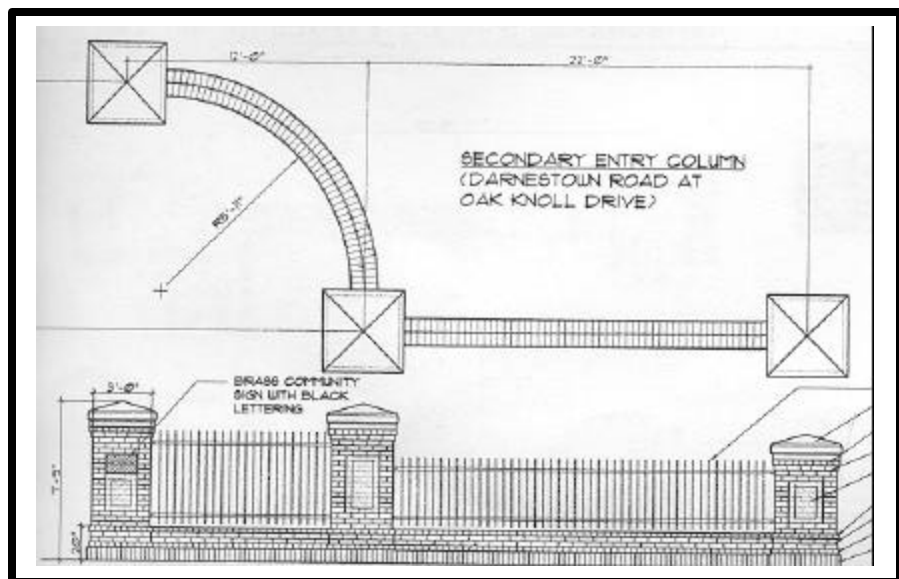
with stormwater pond plantings. There will be no street trees planted in this area given the location of an existing storm drain lines (see attached sheet L-2).

The plan contains repeating features, such as the perimeter walls and the type of landscaping shown within the easement in the area adjacent to planned residences. The landscape easement will be within the side yards of adjacent houses, with the only exception being four houses that will have the easement in the rear yard (see sheet L-3). Attention has been given to the size, location, and type of landscaping that is installed adjacent to houses to accommodate future maintenance items. As stated before, the homeowner will be made aware of the presence of the easement, as well as any accompanying restrictions, through various documents provided by Falls Grove. The houses shown on sheets L-1 through L-6 of the plan, including the south side of the Darnestown Road and Oak Knoll Drive intersection (see sheet L-6) have been submitted as Detailed Application CPD2000-0004N. At the time of this report, that application is still under review, and must be presented to the Planning Commission for approval. In the event that changes are made to the lot lines of the proposed houses, the landscape plan will be adjusted accordingly.

The plan remains consistent through to the intersection of Darnestown Road and Oak Knoll Drive. It is the general vicinity of this intersection, as shown on sheet L-6 of the application, where this plan shows the Millennium Trail bike path as well as the existing allee of trees. It is here that the bike path along Darnestown changes from an eight-foot wide bike path to the ten-foot wide Millennium Trail bike path. Along Darnestown Road, this part of the Millennium Trail continues to the intersection of Glen Mill Road where it crosses to the west. The eight-foot wide bike path starts again, continuing to Shady Grove Road.

The allee of trees, also commonly referred to as the existing tree-lined drive, provides the entrance of the portion of the Millennium Trail that crosses the Falls Grove development. The Trail ultimately connects to West Montgomery Avenue and Research Boulevard. The portion of the Millennium Trail that crosses Falls Grove is outside of the scope of this report, but will be the subject of a subsequent detailed application.

It is worthy of note that it is this area that there are existing gates to the original Thomas Farm property. These entry walls are located within the County ROW and are in disrepair. As part of this application, the Applicant is removing these existing walls and gates and relocating them back approximately 10 feet. The Applicant will attempt to refurbish the existing walls and gates and incorporate them, in a fixed closed position, into the perimeter landscape plan in this area (see attached sheet L-6). If unable to refurbish the existing structures, the Applicant will replicate the original walls and gates. This

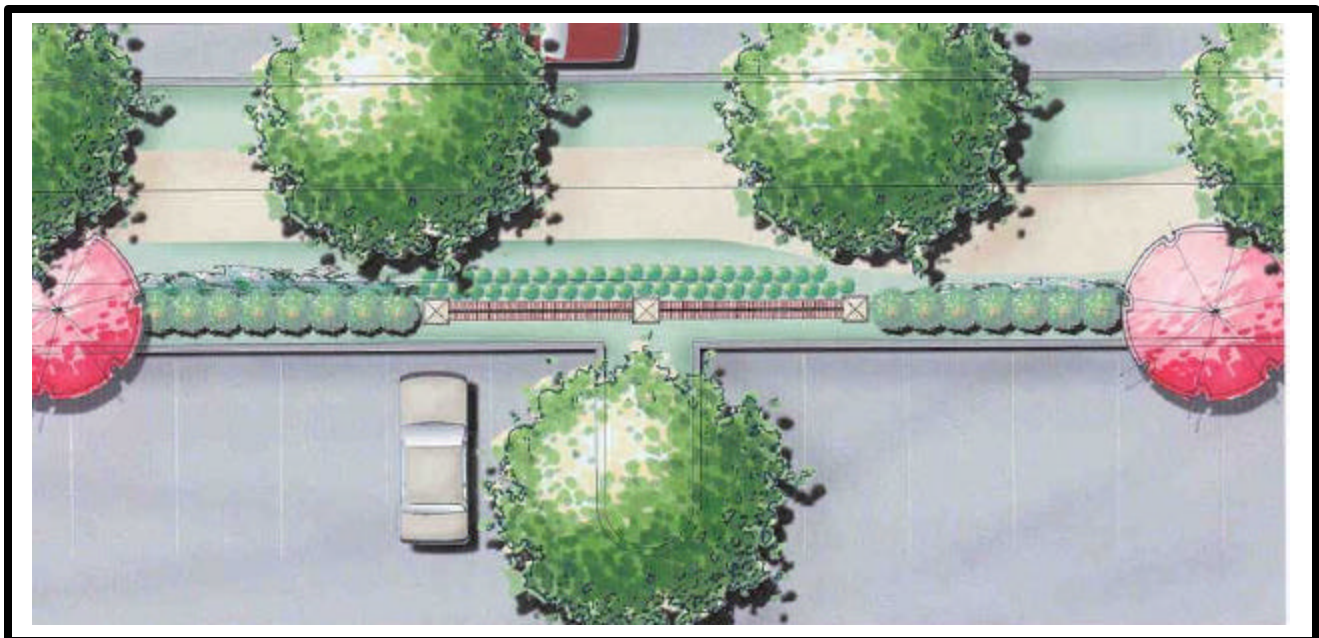


area will function as the introduction of the allee of trees and the Millennium Trail. The intersection will also have secondary entry monuments, as illustrated on sheet L-17.

From this area northerly to the intersection of Shady Grove Road (sheet L-9), the plan remains relatively consistent. The houses shown from Oak Knoll Drive to Shady Grove Road have been approved via Detailed Application CPD2000-0004B. These houses have the landscape easement platted on their properties. There will be neighborhood monument signage at the intersection of Darnestown Road and Windy Knoll Drive (sheets L-7 and L-17). Once past this intersection, the path and street trees continue past two stormwater management ponds and the spur road that were approved as part of Detailed Application CPD2000-0004H. The plantings in this area will complement the landscaping that is part of the previously referenced application. The plantings here will be consistent with SWM pond planting guidelines.

Shady Grove Road

The perimeter landscape plan for Shady Grove Road begins at the intersection of Shady Grove Road and Darnestown Road, and continues to the intersection of Shady Grove and West Montgomery Avenue. The area that this particular part of plan covers features the frontages of the JPI rental apartments (CPD2000-0004D), the Village Retail Center (CPD2000-0004F), a stream crossing, future office parcels, the Shady Grove Professional Center I (Doctor Young's first office building, CPD98-0003), and Shady Grove Professional Center II (Doctor Young's new building, CPD2000-0004J). Shady Grove Road will have an eight-foot bike path its entire length, that will "weave" in and out of the County ROW approximately two feet. This typically occurs in between utility poles. This



will create an interesting curvature to the bike path, as well as creating the opportunity for an interesting and diverse planting and wall plan adjacent to the JPI apartments and the Village Retail Center. In addition, there will be street trees planted within the County ROW, subject to the terms of a state roadside tree permit.

The theme of the plan across the JPI and Village Center frontage remains consistent, with a combination of landscape elements and perimeter wall features. There are also monumental entry features at the intersection of Falls Grove Boulevard and Shady Grove Road as outlined on sheet L-11 and L-12. The specifics of this monumentation

are detailed on

sheet L-18.

Some of the

notable features

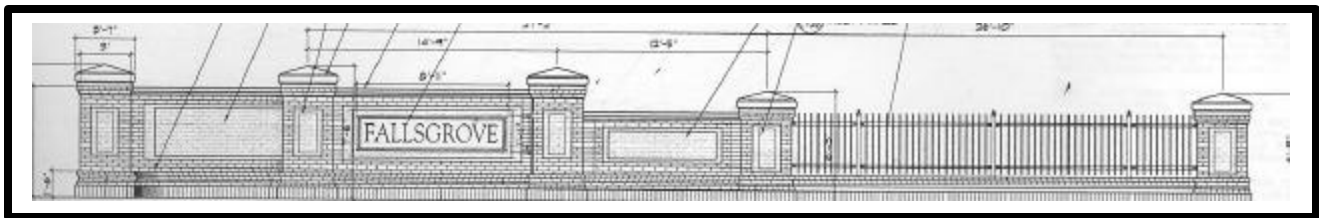
of this entry

include a brick and pre-cast concrete design combined with architectural fencing. At an overall height of seven feet, six inches, this corner is treated as a formal entry to the most urban part of Falls Grove.

Most of the design elements of this corner, including the special brick pavers and wall treatments are being carried down the length of Falls Grove Boulevard to the intersection of Falls Grove Drive. Once the plan crosses Falls Grove Boulevard, the theme is carried across the Shady Grove Road frontage of the Village Retail Center. It should be noted that all upgraded roadway and pedestrian elements, such as brick pavers and architectural fencing, will be maintained by the Falls Grove HOA. Maintenance responsibilities will be established by the HOA documents.



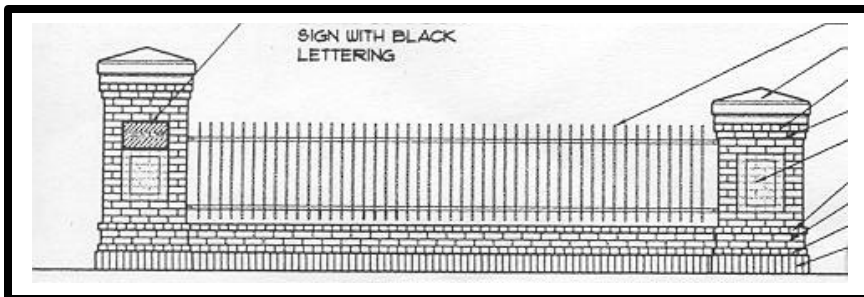
include a brick and pre-cast concrete design combined with architectural fencing. At an overall height of seven feet, six inches, this corner is treated as a formal entry to the most urban part of Falls Grove. Most of the design elements of this corner, including the special brick pavers and wall treatments are being carried down the length of Falls Grove Boulevard to the intersection of Falls Grove Drive. Once the plan crosses Falls Grove Boulevard, the theme is carried across the Shady Grove Road frontage of the Village Retail Center. It should be noted that all upgraded roadway and pedestrian elements, such as brick pavers and architectural fencing, will be maintained by the Falls Grove HOA. Maintenance responsibilities will be established by the HOA documents.



Stream Crossing to West Montgomery Avenue

Once past the Village Retail Center, the plan is modified slightly to, as stated by the Applicant, reflect the changes in the character of this part of Falls Grove. There is a stream crossing adjacent to the Village Center that has future office parcels located on the other side as indicated by the Concept Plan. It is in this location that the plan begins to show a less dense landscaping theme. There are, however, street trees and the eight foot bike path all the way to Shady Grove Road. There is a neighborhood entry feature at the intersection of Shady Grove Road and Blackwell Road as well that is illustrated on sheet L-18.

The Applicant has stated that they desire the area from the stream crossing to West Montgomery Avenue be a distinct transition from the residential/retail



section of Falls Grove to the office component of the development. The issue of dense landscaping within this area is compounded by the presence of a very wide storm drain easement along Shady

Grove Road from Blackwell Road to Dr. Young's first office building. The Applicant has stated, however, that when the office parcels adjacent to Blackwell Road are developed, design elements previously seen on the plan will be incorporated into the site design to function harmoniously with the building design.

As stated before, the Shady Grove Road frontage also interacts with Doctor Young's original office building, as referenced on sheet L-15. This building was not approved as part of the Fallsgrove CPD and is not subject to any of the requirements of the CPD, including this perimeter landscaping plan. Once past this building the plan meets with Dr. Young's new building, which is a part of the Fallsgrove CPD. The Applicant is not placing the repetitive design features seen earlier in this report in this location, however. The Applicant states that the landscape plan would be disjointed and out of place in front of this office building alone on the corner. This, combined with a TRANSCO gas easement on the corner, makes it difficult to place monumentation signage. Dr. Young is required, however, under the conditions of CPD2000-0004J to landscape and dedicate a portion of the corner that is not in the TRANSCO easement to the City of Rockville for gateway signage. Such signage has not been submitted to date.

Fallsgrove Drive & West Montgomery Avenue Entry

The intersection of Fallsgrove Drive (Gude Drive extended) has been identified by the Applicant as a major entry into the Fallsgrove neighborhood, and will have major monument walls and signage. The layout, design and details for this neighborhood entry monumentation and landscaping is illustrated on sheets L-2 and L-21.

STAFF RECOMMENDATION:

Approval is recommended, subject to the following conditions:

1. Submission, for approval by the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A.
2. Obtain permits from Montgomery County & MDSHA for work along all roadways and within rights of way.
3. Any bike path not located in the County ROW shall be in an easement to allow maintenance by the City of Rockville.
4. No trees or large shrubs over any utility including storm drain.
5. Obtain permit/approval from all affected utility companies.
6. Clearly show the existing right-of-way and proposed right-of-way line.
7. Amend intersections as highlighted on Exhibit A to provide appropriate engineering of bike paths crossing entrances. Applicant has been working with the City to provide appropriate crossing patterns at the various intersections.

8. Amend the Verizon vault shown on sheet L-14 to reflect agreement with approved plat for the Village Center.
9. Applicant must present a comprehensive sign design package for Fallsgrove that incorporates the designs of the entry walls and monuments as shown within this application.
10. Post bonds and obtain permits from Rockville for bike path construction and grading work.
11. Applicant must obtain a Department of Natural Resources (DNR) roadside tree permit for removal and planting of trees within the County ROW.
12. Applicant will be responsible for significant tree replacement for any trees removed outside the County ROW.

TRANSPORTATION

Traffic

A traffic study was done as part of the Concept Plan approval, and this application is in compliance with the approved Concept Plan. Mitigation of the traffic impacts were required as part of the Concept Plan. Mitigation measures include the construction of improvements to 12 intersections, construction of a transit center, payment of \$1.6 million for Transportation Demand Management (TDM) measures, and construction of on-site roads.

The Applicant has provided a bond in the amount of \$2.2 million for required off-site traffic improvements, as per the requirements of the Concept Plan. It should be noted that the Resolution of Approval requires that all Phase I off-site road improvements, as outlined within the Resolution on page 26, must be completed within three years of the issuance of the first grading permit.

Pedestrian Access and Bicycle Paths

There are various points on this plan that the overall Fallsgrove pedestrian and bike path system as approved by the Concept Plan intersect the paths provided as part of this application. All of the bike paths will be eight-foot wide asphalt and built to City standards. An exception will be the ten-foot wide Millennium Trail section of the path. All of the paths will be maintained by the City of Rockville via a maintenance agreement and easement. The Applicant has been working with the City's bikeway consultant to design the best crossing patterns at the various intersections located throughout this plan. Those areas are still being designed, and are indicated on Planning Commission Exhibit A.

STORMWATER MANAGEMENT

Other than the pond plantings associated with various stormwater facilities adjacent to sections of this plan, there are no stormwater-related issues.

LANDSCAPING

All of the details of the landscaping are included and have been reviewed by the Assistant City Forester. Any comments or changes have been indicated on Planning Commission Exhibit A.

Forest/Tree Preservation

Forestry issues related to this plan include the removal of some trees along the frontages of the two roads covered by this application. The Applicant will be responsible for significant tree replacement for any significant trees removed outside of the County ROW.

STAFF COMMENTS

This application is consistent with the approved Concept Plan, and staff recommends approval subject to the conditions listed earlier. Staff feels that the type of landscaping materials and the perimeter wall features associated with the Darnestown Road frontage are appropriate and tasteful. Staff further believes that the undulating berm effect of the landscaping along this frontage will provide a more natural look than typical berms and will provide a nice presence on Darnestown Road frontage.

With respect to Shady Grove Road, Staff also believes that the landscaping plan provides a nice frame for the most urban part of the development. Staff agrees that the transition area past the stream crossing, combined with the storm drain easement and Dr. Young's first office building, lends itself to having elements of the theme of the plan repeated occasionally, such as the intersection of Blackwell Road and Shady Grove Road, but not along its entire length. Staff feels that trying to force a repetition of the landscape plan from the stream crossing to West Montgomery Avenue could create a more disjointed plan than the Darnestown Road frontage. This plan will also provide Staff with the opportunity to integrate the themes presented within this application into the future office parcels once the designs are known.

NOTIFICATION

Notices were sent to approximately 750 residences, businesses and association presidents. Some of the subdivisions include, but were not limited to, Glenora Hills, Rockshire, the Willows, Carter Hill, Watts Branch Meadows, Cambridge Heights, Ivy Woods and Flintledge Estates.

APPROVAL LIMITATIONS

Section 25-193(d) of the Zoning Ordinance requires that **construction or operation must commence within two (2) years of the date of this decision or application approval shall expire.**

If the applicant can show just cause, a maximum of two (2) time extensions may be granted by the Planning Commission, each not to exceed one year. However, time extensions are not automatically approved, and sufficient detail and justification will be required in order for the Planning Commission to consider granting an extension.

CONCLUSION

Staff believes that this application is consistent with the approved Concept Plan approved by the Mayor and Council for this area of Fallsgrove. As a result, staff recommends approval of Detailed Application CPD2000-0004K with the conditions noted above.

Attachments